

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1774 – SB 1848

March 12, 2018

SUMMARY OF ORIGINAL BILL: Authorizes certain courts to establish pilot regional juvenile drug court treatment programs (pilot programs).

CORRECTED FISCAL IMPACT OF ORIGINAL BILL:

Other Fiscal Impact – Pilot programs will incur increases in expenditures to develop and operate regional juvenile drug treatment courts and may create cost savings to local government-owned juvenile detention facilities. Such impacts are assumed to occur in FY18-19 through FY22-23. Any net fiscal impact to local government is dependent upon multiple unknown factors and cannot be reasonably determined. However, any impacts are considered permissive.

Depending on the number and location of pilot regional juvenile drug treatment courts created, the AOC may incur an increase in state expenditures estimated to be \$69,200 each year between FY18-19 and FY22-23.

SUMMARY OF AMENDMENT (014502): Deletes all language after the enacting clause and rewrites the bill such that the only substantive changes are to: remove time limits on in-patient treatment; require AOC to ensure documentation and data is provided to the Department of Mental Health and Substance Abuse Services; change the reporting date from January 15, 2023 to January 15, 2024; and specify that the juvenile court has exclusive original jurisdiction of a regional juvenile drug court treatment program.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the corrected fiscal note.

Assumptions for the bill as amended:

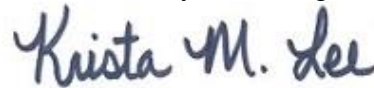
- This legislation requires pilot programs to take effect July 1, 2018, and end June 30, 2023.

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- This legislation authorizes courts exercising jurisdiction over juveniles alleged to be delinquent or unruly to develop and operate pilot programs for up to 500 juveniles in counties outside of counties currently operating a drug treatment court for juveniles.
- Any action taken by an eligible court to establish a pilot program is permissive.
- This legislation requires the AOC to provide administrative oversight of pilot programs and the Department of Mental Health and Substance Abuse Services (DMHSAS) to conduct an evaluation of pilot programs by January 15, 2024.
- Based on information provided by the AOC, depending on the number and locations of pilot regional juvenile drug treatment courts, AOC may not be able to absorb administrative oversight duties within existing staff resources.
- If unable to absorb, the AOC will hire one full time juvenile drug court pilot program coordinator.
- The recurring increase in state expenditures associated with the additional position is estimated to be \$69,225 (\$50,000 salary + \$15,550 benefits + \$3,675 travel expenses) each year for FY18-19 through FY22-23.
- DMHSAS will complete the required evaluation of the pilot project within existing resources utilizing existing staff. Any impact to the department is estimated to be not significant.
- Under current law, pursuant to Tenn. Code Ann. § 16-22-114, juvenile drug court treatment programs are prohibited from being funded or supported by revenues collected by the clerks of general sessions, circuit, and criminal courts or municipal courts exercising general sessions court jurisdiction.
- Eligible courts electing to develop pilot programs will incur permissive increases in local expenditures to operate such programs. Pilot programs may also lead to cost savings in local government-owned juvenile detention facilities resulting from diversion from such facilities. The extent and timing of any permissive increase in expenditures or cost savings is dependent upon multiple unknown factors and cannot be reasonably determined.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

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